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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 Carlos Eduardo Navarrette,

10 Petitioner,

11 v.

12 Ryan Thornell, et al.,

13 Respondents.
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No. CV-23-00922-PHX-MTL

ORDER

15 Before the Court is the Report and Recommendation of Magistrate Judge Camille
16 D. Bibles (“R & R”) (Doc. 13) that was issued on January 10, 2024. The R&R
17 recommends that the Petition for Writ of Habeas Corpus (Doc. 1) be denied, and that a
18 certificate of appealability be denied. (Doc. 13 at 9-10.) Petitioner has not filed any
19 objections to the R & R. The deadline to do so passed fourteen days following service of
20 the R & R, which was electronically noticed to Petitioner on January 10, 2024. (Doc. 13;
21 Doc. 14.)

22 In reviewing an R & R, the Court “may accept, reject, or modify, in whole or in
23 part, the findings or recommendations made by the magistrate judge.”
24 28 U.S.C. § 636(b)(1). “[T]he district judge must review the magistrate judge’s finding
25 and recommendations *de novo if objection is made*, but not otherwise.” *United States v.*
26 *Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc) (emphasis in original); *see*
27 *Thomas v. Arn*, 474 U.S. 140, 149 (1985) (finding that the District Court need not
28 conduct “any review at all . . . of any issue that is not the subject of an objection”). No

1 objections having been received, the Court will accept and adopt the R & R in its entirety.

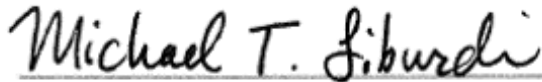
2 Accordingly,

3 **IT IS ORDERED** that the Report and Recommendation (Doc. 13) is **accepted**.

4 **IT IS FURTHER ORDERED** that the Petition for Writ of Habeas Corpus (Doc.
5 1) is **denied with prejudice**.

6 **IT IS FURTHER ORDERED denying** the issuance of a certificate of
7 appealability and leave to proceed in forma pauperis on appeal because Petitioner has not
8 demonstrated that reasonable jurists could find the ruling debatable or conclude that the
9 issues presented are adequate to deserve encouragement to proceed further. *See Miller-El*
10 *v. Cockrell*, 537 U.S. 322, 327 (2003).

11 Dated this 9th day of May, 2024.

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14 Michael T. Liburdi
15 United States District Judge
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